



Docket: 7214.08

THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Charles N. Serhan	
Appln. No.:	10/004,155	
Filing Date:	October 19, 2001	Examiner: Jones, D.
Title:	Regulation of Phospholipase D Activity	Group Art Unit: 1614

**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

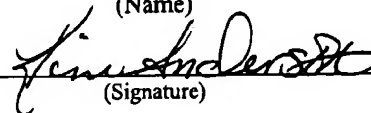
Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Express Mailing Number: EV 533898219 US  
Date of Deposit: August 25, 2004

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim Anderson

(Name)

  
(Signature)

Dear Sir:

The owner, The Brigham and Women's Hospital, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent Nos. 6,353,026; 6,720,354 and Patent Application No. 10/042,043. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a

maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

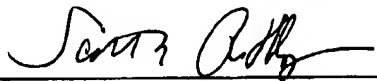
The Terminal Disclaimer fee under 37 CFR 1.20(d) is attached herewith.

The undersigned is the attorney or agent of record in this application.

Respectfully submitted,

**DORSEY & WHITNEY LLP**  
**Customer Number 25763**

Date: August 25, 2004

By:   
Scott D. Rothenberger (Reg. No. 41,277)  
Intellectual Property Department  
Suite 1500  
50 South Sixth Street  
Minneapolis, MN 55402-1498  
(612) 340-8819



**APPLICATION  
FEE TRANSMITTAL SHEET  
(FY 2004)**

Complete if Known	
Application No.	10/004,155
Filing Date	October 19, 2001
First Named Inventor	Charles N. Serhan
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METHOD OF PAYMENT (Check One)		FEE CALCULATION (Continued)																																																																																																													
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: <u>04-1420</u> Deposit Account Name: <u>DORSEY &amp; WHITNEY LLP</u></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)</p> <p>2. <input checked="" type="checkbox"/> Check Enclosed</p>		<p><b>3. ADDITIONAL FEES</b></p> <table><thead><tr><th>Large Entity Fee</th><th>Small Entity Fee</th><th>Fee Description</th><th>Fee paid</th></tr></thead><tbody><tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>130</td><td>65</td><td>Surcharge - Late nonprovisional filing fee or oath</td><td></td></tr><tr><td>180</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1,480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>2,010</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>770</td><td>385</td><td>Submission After Final 1.129</td><td></td></tr><tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>110</td><td>55</td><td>Terminal Disclaimer Fee</td><td>\$110</td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>50</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Utility/Reissue Issue Fee (including advance copies)</td><td></td></tr><tr><td>480</td><td>240</td><td>Design Issue Fee (inc. advance copies)</td><td></td></tr><tr><td>770</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>300</td><td>300</td><td>Publication fee for early, voluntary, or normal publication</td><td></td></tr><tr><td>300</td><td>300</td><td>Publication fee for re-publication</td><td></td></tr><tr><td>110</td><td>55</td><td>Petition to Revive - unavoidable</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Petition to Revive - unintentional</td><td></td></tr><tr><td colspan="2">OTHER FEE (specify)</td><td></td><td></td></tr><tr><td colspan="2">Subtotal (3)</td><td></td><td>\$110</td></tr><tr><td colspan="2">Total Amount of Payment:</td><td></td><td>\$110</td></tr></tbody></table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1,480	740	Extension for reply within fourth month		2,010	1,005	Extension for reply within fifth month		770	385	Submission After Final 1.129		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		110	55	Terminal Disclaimer Fee	\$110	130	130	Petitions to the Commissioner		50	50	Petitions related to provisional applications		1,330	665	Utility/Reissue Issue Fee (including advance copies)		480	240	Design Issue Fee (inc. advance copies)		770	385	Request for Continued Examination (RCE)		300	300	Publication fee for early, voluntary, or normal publication		300	300	Publication fee for re-publication		110	55	Petition to Revive - unavoidable		1,330	665	Petition to Revive - unintentional		OTHER FEE (specify)				Subtotal (3)			\$110	Total Amount of Payment:			\$110
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Submitted by:

CUSTOMER NUMBER <b>25763</b>	DORSEY & WHITNEY LLP	Intellectual Property Department Suite 1500, 50 South Sixth Street Minneapolis, MN 55402
Name: Scott D. Rothenberger	Phone No.: (612) 340-8819	Fax No.: (612) 340-8856
Signature:	Reg. No.: 41,277	Date: August 25, 2004



08-26-09

AR 16/14 #  
JFW

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Filing Date: October 19, 2001

Title: **Regulation of Phospholipase D Activity**

Examiner: Jones, D.

Group Art Unit: 1614

**RESPONSE**

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Commissioner for Patents  
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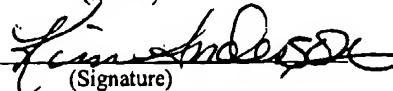
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Kim Anderson

(Name)



(Signature)

Dear Sir:

In response to the Office Action of August 5, 2004, please amend the above-identified application as follows. This response is timely filed with 2 months of mailing of the Final Office Action, therefore no fees are considered due.

**Claims listing** begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.